

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANITA BRENNER and DEAN BRENNER,

No. C-06-1058 MMC

Plaintiffs,

**ORDER CONTINUING CASE
MANAGEMENT CONFERENCE**

v.

ELI LILLY AND COMPANY,

Defendant

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Before the Court is plaintiffs' Case Management Conference Statement, filed May 9, 2006, by which plaintiffs seek to continue the May 19, 2006 case management conference in the instant action by approximately 120 days. Plaintiffs state a continuance is necessary because they anticipate the instant action will be transferred for inclusion in MDL No. 1596, In re Zyprexa Products Liability Litigation, and because they have not yet served defendant. Because the instant action was filed February 15, 2006, the 120-day deadline for plaintiffs to serve defendant, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, has not yet elapsed.

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1 Accordingly, for good cause shown, the May 19, 2006 case management
2 conference is hereby continued to September 29, 2006 at 10:30 a.m. A joint case
3 management statement shall be filed no later than September 22, 2006. The deadline to
4 serve defendant, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, remains in
5 effect.

6 **IT IS SO ORDERED.**

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8 Dated: May 11, 2006

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MAXINE M. CHESNEY
United States District Judge